

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHWESTERN DIVISION**

|   |   |                              |
|---|---|------------------------------|
| Kodiak Oil & Gas (USA) Inc.,                | ) |                              |
|   | ) |                              |
| Plaintiff,                                  | ) |                              |
|   | ) | <b>ORDER CONTINUING</b>      |
| vs.   | ) | <b>SCHEDULING CONFERENCE</b> |
|   | ) |                              |
| Jolene Burr, Ted Lone Fight, Georgianna     | ) |                              |
| Danks, Edward S. Danks, and Judge Diane     | ) |                              |
| Johnson, in her capacity as the Chief Judge | ) |                              |
| of the Fort Berthold District Court,        | ) | Case No. 4:14-cv-085         |
|   | ) |                              |
| Defendants.                                 | ) |                              |

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The Scheduling Conference in the above-captioned case is currently set for December 15, 2014 at 10:00 a.m. The scheduling conference was set for the same time as the scheduling conference in a related case, EOG Resources, Inc. v. Johnson, Case No. 4:14-cr-087. The scheduling conference in the related case has been continued because (1) a tribal court hearing that could render moot the jurisdictional issues the case is set for December 17, 2014; (2) service of all defendants had not been completed; and (3) EOG intends to seek leave to file a Second Amended complaint that accurately reflects the status of the tribal court action. The court believes it appropriate to continue the scheduling conference in this case for the same reasons.

Accordingly, the Scheduling Conference will be reset for February 3, 2015 at 10:00 a.m. by telephone before Judge Miller and will be held in conjunction with the scheduling conference in EOG Resources, Inc. v. Johnson, Case No. 4:14-cr-087. The parties shall call the following number and enter the access code at that time:

Number: 1-877-848-7030

Access Code: 9768929

In advance of the call, the parties shall submit a proposed Scheduling/Discovery plan in “WordPerfect” or “Word” format to [ndd\\_J-Miller@ndd.uscourts.gov](mailto:ndd_J-Miller@ndd.uscourts.gov).

**IT IS SO ORDERED.**

Dated this 12th day of December, 2014.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court